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HOUSE BILL 718

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Ben Lujan

AN ACT

RELATING TO PUBLIC EMPLOYEES; CREATING A JOINT INTERIM  
COMMITTEE FOR THE OVERSIGHT OF PUBLIC EMPLOYEE BENEFIT PROGRAMS  
AND FUNDS; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. TEMPORARY PROVISION--EMPLOYEE BENEFITS  
OVERSIGHT COMMITTEE CREATED.--There is created a joint interim  
legislative committee that shall be known as the "employee  
benefits oversight committee". The committee shall function  
from the date of its appointment until the first day of  
December prior to the second session of the forty-seventh  
legislature.

Section 2. TEMPORARY PROVISION--MEMBERSHIP--  
APPOINTMENT--VACANCIES.--

A. The employee benefits oversight committee shall

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1 be composed of ten members. Five members of the house of  
2 representatives shall be appointed by the speaker of the house  
3 of representatives and five members of the senate shall be  
4 appointed by the committees' committee of the senate or, if the  
5 appointments are made in the interim, by the president pro  
6 tempore of the senate after consultation with and agreement of  
7 a majority of the members of the committees' committee.

8 B. Members of the employee benefits oversight  
9 committee shall be appointed from each house so as to give the  
10 two major political parties in each house the same proportional  
11 representation on the committee as prevails in each house;  
12 however, in no event shall either party have less than one  
13 member from each house on the committee. Vacancies on the  
14 committee shall be filled by appointment in the same manner as  
15 the original appointments. The chair and vice chair of the  
16 committee shall be elected by the committee.

17 C. No action shall be taken by the committee if a  
18 majority of the total membership from either house on the  
19 committee rejects such action.

20 Section 3. TEMPORARY PROVISION-- DUTIES. --

21 A. After its appointment, the employee benefits  
22 oversight committee shall hold one organizational meeting to  
23 develop a work plan and budget for the ensuing interim.

24 B. In developing the work plan, the employee  
25 benefits oversight committee shall take into consideration the

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1 public interest in ensuring that the retirement programs of the  
2 public employees retirement association and the educational  
3 retirement board, and the benefit programs administered by the  
4 retiree health care authority, the public school insurance  
5 authority and the state group benefits program are financially  
6 sound.

7 C. The employee benefits oversight committee shall  
8 solicit public input.

9 D. The work plan and budget shall be submitted to  
10 the New Mexico legislative council for approval. Upon approval  
11 of the work plan and budget by the council, the employee  
12 benefits oversight committee shall examine:

13 (1) the statutes, constitutional provisions,  
14 regulations and court decisions governing the retirement plans  
15 provided by the state retirement programs and the benefit plans  
16 provided by the retiree health care authority, the public  
17 school insurance authority and the state group benefits  
18 program; and

19 (2) the actuarial health of the funds  
20 supporting the programs, the present and future costs of  
21 maintaining the programs and the extent of any forecasted  
22 funding deficits.

23 Section 4. TEMPORARY PROVISION--SUBCOMMITTEES.--

24 Subcommittees shall be created only by majority vote of all  
25 members appointed to the employee benefits oversight committee

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1 and with the prior approval of the New Mexico legislative  
2 council. A subcommittee shall be composed of at least one  
3 member from the senate and one member from the house of  
4 representatives, and at least one member of the minority party  
5 shall be a member of the subcommittee. All meetings and  
6 expenditures of a subcommittee shall be approved by the full  
7 committee in advance of such meeting or expenditure, and the  
8 approval shall be shown in the minutes of the committee.

9 Section 5. TEMPORARY PROVISION--REPORT.--The employee  
10 benefits oversight committee shall make a report of its  
11 findings and recommendations for the consideration of the  
12 legislature. The report and suggested legislation shall be  
13 made available to the New Mexico legislative council by  
14 December 15 preceding the second session of the forty-seventh  
15 legislature.

16 Section 6. TEMPORARY PROVISION--STAFF.--The staff for the  
17 employee benefits oversight committee shall be provided by the  
18 legislative council service.

19 Section 7. APPROPRIATION.--One hundred thousand dollars  
20 (\$100,000) is appropriated from legislative cash balances to  
21 the legislative council service for expenditure in fiscal years  
22 2005 and 2006 to pay for technical and legal assistance and for  
23 necessary equipment and supplies used in carrying out the  
24 provisions of this act and for reimbursing the per diem and  
25 mileage expenses of the committee. Any unexpended or

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1 unencumbered balance remaining at the end of fiscal year 2006  
2 shall revert to legislative cash balances. Payments from the  
3 appropriation shall be made upon vouchers signed by the  
4 director of the legislative council service or the director's  
5 authorized representative.

6 Section 8. EMERGENCY.--It is necessary for the public  
7 peace, health and safety that this act take effect immediately.

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